



**State of New Jersey**  
**Department of Environmental Protection**  
Revised: January 2018      Website: [www.nj.gov/dep/landuse](http://www.nj.gov/dep/landuse)



**FRESHWATER WETLANDS PROTECTION ACT RULES**

**APPLICATION CHECKLIST**

**General Permit 4—Hazardous site investigation and cleanup**

CALL NJDEP AT (609) 777-0454 IF YOU HAVE ANY QUESTIONS

To apply for an authorization under general permit 4, please submit the information below to:

**Postal Mailing Address**

NJ Department of Environmental Protection  
Division of Land Use Regulation  
P.O. Box 420, Code 501-02A  
Trenton, New Jersey 08625-0420  
**Attn: Application Support**

**Street Address (Courier & Hand Carry Only)**

NJ Department of Environmental Protection  
Division of Land Use Regulation  
501 East State Street  
Station Plaza 5, 2<sup>nd</sup> Floor  
Trenton, New Jersey, 08609  
**Attn: Application Support**

**Please note: If you apply for a letter of interpretation and an authorization under a general permit at the same time, the application requirements may be combined. For example, an application for a letter of interpretation and a general permit authorization require three sets of site plans. Rather than submitting six sets of site plans, three sets containing the information required by both checklists may be submitted.**

CALL NJDEP AT (609) 777-0454 IF YOU HAVE ANY QUESTIONS

1. A completed application form.
2. Documentation that notice of the application has been provided in accordance with N.J.A.C. 7:7A-17, as follows:

**Notice to governmental entities and property owners (N.J.A.C. 7:7A-17.3(b) and (c))**

- i. Documentation of public notice shall consist of:
  - A. A copy of the certified United States Postal Service white mailing receipt for each public notice that was mailed, or other written receipt; and
  - B. A certified list of all owners of real property, including easements, located within 200 feet of the property boundary of the site (including name, mailing address, lot, and block) prepared by the municipality for each municipality in which the project is located. The date of certification of the list shall be no earlier than one year prior to the date the application is submitted to the Department.
- ii. The notice letter required under N.J.A.C. 7:7A-17.3(e)1iii shall read as follows:

*"This letter is to provide you with legal notification that an application for an authorization under freshwater wetlands general permit 4 <<has been/will be>> submitted to the New Jersey Department of Environmental Protection, Division of Land Use Regulation for the development shown on the enclosed plan(s). A brief description of the proposed development follows: <<INSERT DESCRIPTION OF THE PROPOSED PROJECT>>*

*The complete permit application package can be reviewed at either the municipal clerk's office or by appointment at the Department's Trenton Office. The Department of Environmental*

*Protection welcomes comments and any information that you may provide concerning the proposed development and site. Please submit your written comments within 15 calendar days of the date of this letter to:*

*New Jersey Department of Environmental Protection  
Division of Land Use Regulation  
P.O. Box 420, Code 501-02A  
Trenton, New Jersey 08625  
Attn: (Municipality in which the property is located) Supervisor"*

Newspaper Notice (N.J.A.C. 7:7A-17.4)

- i. Documentation of newspaper notice shall consist of:
  - A. A copy of the published newspaper notice; and
  - B. The date and name of the newspaper in which notice was published.
- ii. The newspaper notice may be either a legal notice or display advertisement and must read as follows:

*"Take Notice that an application for an authorization under freshwater wetlands general permit 4 <<has been/ will be>> submitted to the New Jersey Department of Environmental Protection, Division of Land Use Regulation for the development described below:*

*APPLICANT:*

*PROJECT NAME:*

*PROJECT DESCRIPTION:*

*PROJECT STREET ADDRESS:*

*BLOCK: LOT:*

*MUNICIPALITY: COUNTY:*

*A complete copy of the application package is available to be reviewed at either the municipal clerk's office or by appointment at the Department's Trenton Office. The Department of Environmental Protection welcomes comments and any information that you may provide concerning the proposed development and site. Please submit your written comments within 15 calendar days of the date of this notice to:*

*New Jersey Department of Environmental Protection  
Division of Land Use Regulation  
P.O. Box 420, Code 501-02A  
501 East State Street  
Trenton, New Jersey 08625  
Attn: (Municipality in which the property is located) Supervisor"*

- 3. The appropriate application fee, as specified in N.J.A.C. 7:7A-18.1, in the form of a check (personal, bank, certified, or attorney), money order, or government purchase order made payable to the "Treasurer of the State of New Jersey."
- 4. Three sets of site plans, certified in accordance with N.J.A.C. 7:7A-16.2(j). Prior to issuance of any permit, the Department will require four to five sets of final site plans. The site plans must be signed and sealed by a New Jersey licensed professional engineer, surveyor, or architect, as appropriate, pursuant to N.J.A.C. 13:40-7.2 through 7.4. The site plans must include the scale of the site plans, a north arrow, the

name of the person who prepared the plans, date the site plans were prepared, and the applicant's name and the block, lot, and municipality in which the site is located. In addition, the site plans shall include the following information, both on and adjacent to the site, in accordance with N.J.A.C. 7:7A-16.7(a)4:

i. Existing features:

- A. Lot Lines and right of-way lines;
- B. Delineation of wetlands, transition areas, and State open waters;
- C. Land cover and vegetation.

ii. Proposed regulated activities:

- A. Changes in lot lines;
- B. Location and area of any freshwater wetlands, transition areas, and State open waters that will be disturbed;
- C. Size, location, and detail of proposed investigation and cleanup/remediation activities;
- D. Details of any planting to restore temporarily disturbed areas in accordance with N.J.A.C. 7:7A-11.8.

iii. Topography:

- A. Existing and proposed topography. All topography must reference NGVD or include the appropriate conversion factor to NGVD.

iv. Soil erosion and sediment control:

- A. Details of any proposed soil erosion and sediment control measures.

5. State plane coordinates in accordance with N.J.A.C. 7:7A-16.7(a)

6. One set of color photographs depicting the existing site conditions and location of the proposed disturbance. Photographs must be mounted on 8½ -inch by 11-inch paper and accompanied by a map showing the location and direction from which each photograph was taken. Copies of photographs are acceptable provided they are color copies. Black and white copies of photographs are not acceptable.

7. Calculations and analyses:

- i. If the project is a major development as defined by N.J.A.C. 7:8-1.2, a demonstration of compliance with the requirements of the Stormwater Management Rules, N.J.A.C. 7:8.

Any calculations or analyses submitted as part of an application must include the certification set forth at N.J.A.C. 7:7A-16.2(j).

8. Location of wetlands:

- i. Documentation that a line delineation or line verification Letter of Interpretation has been issued for the site; or
- ii. All information for a line delineation or line verification Letter of Interpretation required by the appropriate checklist.

9. A compliance statement that includes the following:

- i. A description of the project and all proposed regulated activities;
- ii. The total area, in acres, of wetlands and State open waters on the site before the regulated activity is performed, and the total area, in acres, of wetlands and State open waters, on the site that will remain after the regulated activity is performed;
- iii. A list of all limits and requirements of general permit 4 at N.J.A.C. 7:7A-7.4 that apply to the proposed activities and an explanation of how the activities comply with each requirement;
  - a. A demonstration by the applicant or certification from a Licensed Site Remediation Professional that the activities will disturb the minimum area of freshwater wetlands,

State open waters, and/or transition areas necessary for compliance with N.J.A.C. 7:26E and 7:26C, in accordance with N.J.A.C. 7:7A-7.4(a)1i-ii;

- iv. A list of all limits and requirements at N.J.A.C. 7:7A-5.7, Conditions applicable to an authorization pursuant to a general permits-by-certification or a general permit, that apply to the proposed activities and an explanation of how the activities comply with each requirement;
- v. If a site is known or suspected to be contaminated with toxic substances, and if the Department requests it, a laboratory analysis of representative samples of the soil or sediment on the site;
- vi. Documentation regarding when the lot that is the subject of the general permit was created by subdivision;
- vii. A history of the ownership of the property beginning June 30, 1988 to present; and
- viii. A listing of contiguous lots that were in common ownership with the lot on which the activities are proposed and the ownership history of each lot beginning June 30, 1988 to present

10. Endangered and threatened species; critical habitat; historic and archeological features:

- i. A copy of an NJDEP, Office of Natural Lands Management Natural Heritage Database data request response for endangered or threatened species of flora or fauna, including a Landscape Map report;
- ii. If the site is located in a municipality with the endangered plant known as swamp pink (*Helonias bullata*) (listed in Attachment C), a signed statement from the applicant certifying that the proposed activities will not result in any direct or indirect adverse impacts to swamp pink or its documented habitat;
- iii. If the site is located in a municipality with the endangered bog turtle (these municipalities are listed in Attachment D), a signed statement from the applicant, certifying that the proposed activities will not result in any direct or indirect adverse impacts to bog turtles or to their documented habitat;
- iv. If the site is located in an area designated a Wild and Scenic River, or under study for such designation, a letter from the National Park Service approving the proposed activities;
- v. If an application reflects any of the characteristics at N.J.A.C. 7:7A-19.5(l), a Phase IA historical and archaeological survey, and an architectural survey, defined at N.J.A.C. 7:7A-1.3

11. Color copies of the following maps:

- i. The tax map for the property;
- ii. A copy of the portion of the county road map showing the property location; and
- iii. A copy of the USGS quad map(s) that include the site, with the site clearly outlined to scale.

12. Mitigation:

- i. For all disturbance of freshwater wetlands and/or State open waters (except those that have formed as a direct result of remediation activities) a mitigation plan that meets the requirements of N.J.A.C. 7:7A-11. This mitigation proposal may be incorporated into the document approved pursuant to the Administrative Requirements for the Remediation of Contaminated Sites, N.J.A.C. 7:26C, and/or it may be submitted as part of the general permit application. The Department will not issue an authorization under this general permit until the mitigation proposal or equivalent document is approved.